IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ABINGDON DIVISION

ROBERT F. CLEVINGER)
Plaintiff,) Civil Action No. 1:10cv00053
v.	ORDER
CAROLYN W. COLVIN,1) By: JAMES P. JONES
Commissioner of Social Security,) United States District Judge
Defendant.)

It appearing that no objections have been timely filed to the Report filed March 14, 2013, setting forth the findings and recommendations of the magistrate judge, it is **ADJUDGED AND ORDERED** as follows:

- 1. The Report and its findings and recommendations are wholly **ACCEPTED** and **APPROVED**;
- 2. Attorneys' fees are awarded to the plaintiff under the provisions of 42 U.S.C.A. § 406(b) in the amount of \$6,000.00; and
- 3. Plaintiff's counsel shall refund to Clevinger the \$1,156.25 previously awarded pursuant to the Equal Access to Justice Act, ("EAJA"), 28 U.S.C.A. § 2412(d).

ENTER: April 4, 2013

/s/ James P. Jones
United States District Judge

¹ Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Federal Rules of Civil Procedure Rule 25(d), Carolyn W. Colvin is substituted for Michael J. Astrue as the defendant in this suit.